

DOCKET OFFICE BEST PRACTICES

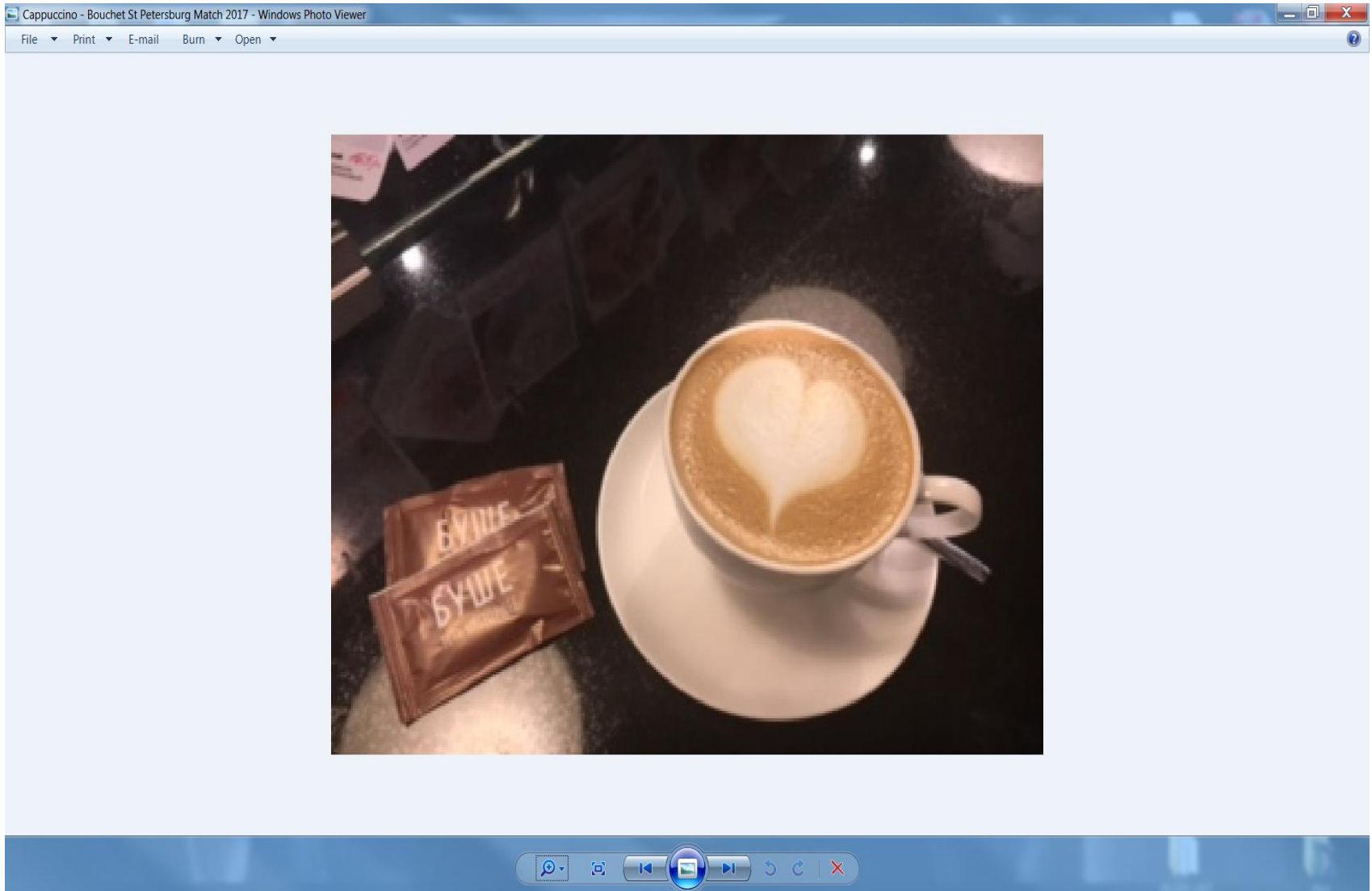
WITH

MARTIN NAKAHARA

Senior Legal Analyst

May 18, 2017

GOOD MORNING !



INTRODUCTION

- In today's highly competitive world, those who have a solid handle on the fundamentals of their chosen field always seem to be those who lead the way and do so with cutting-edge knowledge of what then is important and how to present those thoughts effectively.
- In the field of Regulatory Law before the Commission, there is no limitations on tendering documents to the Docket Office for filing, except what is prohibited or required by the Pub. Util. Code and our Rules of Practice and Procedure, and other Regulations.
- This concept highlights the fact that certain fundamentals must be mastered, and indeed, re-visited regularly, in order to achieve your filing goals, whether you are a novice or a seasoned veteran.
- Mastering, and perhaps, revisiting, the few selected topics today will help you to achieve complete success in all of your filings. Good Luck!

OUTLINE OF TODAY'S SEMINAR

- 1. **Motion & Motion Practice**, including Motions to File Confidential Documents Under Seal (Entire Rule 11).
- 2. **Notice of Availability** - what is it & how to use it effectively (Rule 1.9(d)).
- 3. What are the most prominent & recurring **mistakes** made in documents tendered for filing & how to avoid them.
- 4. How should documents be handled that **exceed the 20 Mb limitation** for Electronic filing set forth in Rule 1.13(b)(1)(ii)?

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1. Motion & Motion Practice – Rule 11.1

A Motion is simply a request to the Commission for authorization to do, or not to do, certain things in an open proceeding.

- There are three (3) crucial elements to a motion: (1) OPEN PROCEEDING (2) PARTY STATUS (3) PROPOSED ORDER
- **OPEN PROCEEDING.** (See, Rule 11.1(a))
Rule 11.1(b) specifies that a Motion may be filed “during the pendency of a proceeding.”

- **PARTY STATUS.**

(See, Rule 11.1(b); Rule 1.4)

- **PROPOSED ORDER/RULING.** (See, Rule 11.1(d); Rule 11.4(a))

Most misunderstood and under-utilized tool in Motion Practice. **EXTREMELY VALUABLE.**

CRITICAL TO USE PROPERLY

PROPOSED RULING/ORDER

- RULE 11.1(a). Most filers believe that the only time a Proposed Ruling/Order is required to be used is with a Motion to File Confidential Materials Under Seal (MFUS) pursuant to Rule 11.4(a) bec it so specifies the same in one sentence.
- **Rule 11.4(a) states: “A motion for leave to file under seal shall attach a proposed ruling that clearly indicates the relief requested.”**
- However, **in my opinion**, all motions require a Proposed Ruling/Order. **Rule 11.1(d) states:**
- **“A motion must concisely state the facts and law supporting the motion and the specific relief requested.” (Emphasis Added)**

V E R I F I C A T I O N

(Rule 1.11)

- One further consideration about motions is that they usual contain facts supporting the relief requested in addition to some basic Points and Authorities.
- If you allege any facts in a motion, however, you must attach a **Verification pursuant to Rule 1.11**, signed under Penalty of Perjury. Rejection could follow if this requirement is not followed.

CLINICAL EXAMPLE

- *Rule 1.11. Here is a high-level example of a Declaration that was fully integrated into a MFUS.*

MOTION - VERIFICATION

COPY

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA

In The Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) for Authority to Lease Certain Fiber Optic Cables to CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS under the Master Dark Fiber Lease Agreement Pursuant to Public Utilities Code Section 851.

Application No. 17-02- 001

FILED PUBLIC
UTILITIES COMMISSION,

FEB 03 2017

SAN FRANCISCO
OFFICE

SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338-E) MOTION FOR LEAVE TO
FILE THE CONFIDENTIAL VERSION OF ITS APPLICATION FOR AUTHORITY TO
LEASE CERTAIN FIBER OPTIC CABLES TO CELLCO PARTNERSHIP D/B/A
VERIZON WIRELESS UNDER THE MASTER DARK FIBER LEASE AGREEMENT
PURSUANT TO PUBIC UTILITIES CODE SECTION 851 UNDER SEAL

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Dated: February 3, 2017

MOTION - VERIFICATION

DECLARATION OF VERIZON WIRELESS REGARDING
CONFIDENTIALITY OF INFORMATION
IN THE MASTER DARK FIBER LEASE AGREEMENT
BETWEEN SOUTHERN CALIFORNIA EDISON COMPANY AND
CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS

I, Jesús G. Román, declare as follows:

On November 17, 2016, Cellco Partnership D/B/A Verizon Wireless ("Verizon Wireless") executed a Dark Fiber Lease Agreement between Southern California Edison Company and Cellco Partnership d/b/a Verizon Wireless ("Agreement"). This Agreement was the product of confidential negotiations and certain portions of the Agreement include information that Verizon Wireless is seeking to protect as confidential proprietary information and trade secrets under long-established California precedents. Accordingly, Verizon Wireless has requested Southern California Edison ("SCE") to ensure that the portions of the Agreement that contain confidential information not be disclosed publicly and, to the extent SCE is required to provide the California Public Utilities Commission (the "Commission") a version of the Agreement for disclosure to the public, that SCE provide a redacted copy.

The redacted information contained in the Agreement is competitively sensitive, confidential, proprietary and constitutes a trade secret of Verizon. Specifically, the confidential information falls into three categories:

Template terms and conditions. In its negotiation of commercial contracts with third parties, such as SCE, Verizon Wireless typically starts with a template form of agreement. That template agreement, standing alone, is considered confidential information of Verizon Wireless and is the product of years of effort by internal business clients and attorneys that support the network organization. Indeed, it is standard practice that Verizon Wireless will not disclose its template agreement to any third party unless that third party has first signed a confidentiality agreement. The template incorporates Verizon's "going-in" position on numerous commercial and technical issues that, at any point in time, reflects Verizon's current view on an acceptable risk allocation between the vendor and Verizon. The template also reflects Verizon's real world experience as a wireless service provider in negotiating and addressing issues that have arisen in connection with both lit or dark fiber projects throughout the United States. The templates have been modified to take account of issues that have arisen and been resolved between Verizon and other third party vendors. As such, the template reflects the sum total of that experience, and constitutes intellectual property of Verizon that would be of high value to any wireless carrier seeking to compete against Verizon. Verizon has taken care to only redact those terms from the template that could be used to its competitive disadvantage.

Negotiated Positions. Verizon is also concerned about language in the document that has been negotiated with SCE, a public utility company, and that reflects a decision by Verizon to alter the risk allocation from the standard found in its templates in some respect. These changes need to be evaluated in their entirety. Verizon may have been able to accept certain

MOTION - VERIFICATION

changes to a particular provision based upon other changes that are made elsewhere in the document or based upon some unique aspect of the SCE market that may not apply to other markets or vendors. To allow third parties to see the negotiated agreement would open the possibility that in future negotiations against Verizon, those vendors would seek to cherry-pick provisions to their favor and to make the argument that they are entitled to the same provisions as SCE. The point is that SCE is a different party, operating in a different market, with different resources and concerns. Verizon is placed at a distinct disadvantage in negotiations with third party vendors if its negotiated agreements become public, and Verizon seeks to avoid that result.

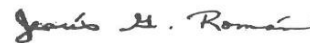
Technical Information. The Agreement contains exhibits that include technical specifications of the fiber and the service that Verizon is purchasing, as well as technical details regarding the installation of the fiber or service. There is clearly, in this day of real work and cyber terrorism, a heightened concern regarding security of telecommunications infrastructure, and the technical details of the Verizon network should therefore not be made public.

In summation, provisions that have been redacted for the public version of the document includes information that, if disclosed publicly, would (1) provide value to Verizon's competitors; (2) create additional difficulties for Verizon in negotiating future commercial agreements with third party vendors; and (3) potentially constitute a security risk given the technical nature of certain of the information regarding network infrastructure. Therefore, the document would place Verizon at an "unfair business disadvantage" if released to the public and is thus also protected from disclosure by General Order 66-C, § 2.2(b) and California Public Utilities Code § 583. In addition, California Government Code, Section 6254.15 of the California Public Records Act, provides that nothing in the Act "shall be construed to require the disclosure of records that are any of the following: corporate financial records, corporate proprietary information including trade secrets"

Accordingly, for the reasons cited, the Commission should not require or permit the disclosure to the public any of the redacted information in the Agreement.

I declare on information and belief that the information provided herein is true and correct and on that basis so affirm. I have been designated by Verizon Wireless officer Brian Mecum to submit this declaration.

Executed this 11th day of January 2017 at Simi Valley, California.



Jesús G. Román

MOTION TO FILE CONFIDENTIAL

DOCUMENTS UNDER SEAL

(Rule 11.4(a))

- Here is the electronic Link to the PowerPoint Presentation first given in May 2012 (later Revised in Nov 2013) on this protocol:
- <http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M164/K610/164610801.PDF>

Practitioner's Guide:

- http://www.cpuc.ca.gov/practitioner_page/

Look for:

- [Filing Confidential Documents Under Seal \(Rev. Nov 2013\)](#)

The file you have opened complies with the PDF/A standard and has been opened read-only to prevent modification.



THE DOCKET OFFICE –

PRESENTS

FILING CONFIDENTIAL DOCUMENTS UNDER SEAL



MARTIN M. NAKAHARA
Senior Legal Analyst

Docket Office – San Francisco – February 23, 2012



MOTION TO FILE CONFIDENTIAL DOCUMENTS UNDER SEAL.

(Rule 11.4(a))

- The concept is that if you have even one Confidential page in a large document, you must follow the existing protocol to get one confidential page filed and the entire document filed at all.
 - **SAMPLE BRIEF –**
 - **Nothing Confidential**
 - **SAMPLE BRIEF –**
 - **One page Confidential**

NOTICE OF AVAILABILITY

(Rule 1.9(d))

- A Notice of Availability (NOA) is a legal tool by which to **SERVE DOCUMENTS**, not to file them. The basic concept is that, you do not actually serve the documents described on the Certificate of Service on the Service List. **Instead, you tell them WHERE (i.e., location) they can get a copy.**
- This concept is especially important with very large documents, such as those

- typically exceeding 50 pages, or those which exceed the 20 Mb limitation to Efile a document, or the 3.5 Mb limitation on documents which you can serve by Email.
- The location for retrieval can be any number of resources such as an electronic link to staff member along with a telephone number, or a Uniform Resource Locator (URL) Location.

SAMPLE OF NOA PROPERLY USED

- A.16-07-002
- *Here is a recent filing which I felt was complete in all respect to use as a Visual Guide. Of course, you can look it up on the Commission website & study it there.*

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



FILED
4-20-17
04:59 PM

Application of California-American Water Company (U210W) for Authorization to Increase its Revenues for Water Service by \$34,559,200 or 16.29% in the year 2018, by \$8,478,500 or 3.43% in the year 2019, and by \$7,742,600 or 3.03% in the year 2020.

Application No. 16-07-002

(Filed July 1, 2016)

**REQUEST FOR OFFICIAL NOTICE
OF THE CITY OF THOUSAND OAKS**

***EXHIBIT A IS SUBMITTED IN DISC FORM
BECAUSE IT IS TOO LARGE TO BE CONVERTED
TO PDF-A FORMAT PER RULE 1.13(B)(1)(i)***

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Attorneys for City of Thousand Oaks

April 20, 2017

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Application of California-American Water Company (U210W) for Authorization to Increase its Revenues for Water Service by \$34,559,200 or 16.29% in the year 2018, by \$8,478,500 or 3.43% in the year 2019, and by \$7,742,600 or 3.03% in the year 2020.

Application No. 16-07-002

(Filed July 1, 2016)

**REQUEST FOR OFFICIAL NOTICE
OF THE CITY OF THOUSAND OAKS**

Pursuant to Rule 13.9 of the Commission's Rules of Practice and Procedure, the City of Thousand Oaks ("City") hereby requests official notice of: (1) the fact that the California Public Utilities Commission regulates water companies providing water service to about 16 percent of California's residents; and (2) certain information regarding water conservation from June 2015 through June 2016 reported under applicable emergency regulations to the State Water Quality Resources Control Board ("Water Board") by three water providers: California Water Service Company ("CalWater"), for its Westlake District; California American Water Company ("Cal-Am"), for its Ventura District; and the City.

1. Applicable Law Regarding Official Notice.

Rule 13.9 provides: "Official notice may be taken of such matters as may be judicially noticed by the courts of the State of California pursuant to Evidence Code section 450 et seq." California Evidence Code section 452(c) permits judicial notice of "[o]fficial acts of the legislative, executive, and judicial departments of the United States and of any state of the United States." Evidence Code section 452(g) permits judicial notice of "[f]acts and propositions that are of such common knowledge within the territorial jurisdiction of the court that they cannot reasonably be the subject of dispute." Evidence Code section 452(h) permits judicial notice of "[f]acts and propositions that are not reasonably subject to dispute and are capable of immediate and accurate determination by resort to sources of reasonably indisputable

accuracy.” Evidence Code section 453 requires judicial notice of such matters where adverse parties are given notice of the request and the party requesting judicial notice furnishes sufficient information to enable judicial notice to be taken.

The Commission and Commission Administrative Law Judges have taken official notice of information made available by other State agencies, Federal Agencies, and the Commission itself. In D.09-12-044, the Commission took official notice under Rule 13.9 and Evidence Code section 452(h) of unemployment and construction permit information issued by the California Employment Development Department and the California Department of Finance.¹ The Commission also took official notice in D.05-11-030 of financial information filed in a Form 10-Q filing made by Unocal, a party before it in that proceeding, which the Commission noted was “provided by Unocal itself and readily available on the SEC’s web site.”² In a ruling issued on August 5, 2009 in A.08-12-021, Administrative Law Judge Timothy Kenney took official notice of a graph regarding system interruption duration that was prepared by the Commission’s Energy Division and posted by it on the Commission’s website. Judge Kenney found the graph was prepared by the Energy Division pursuant to a Commission Decision and thus was an “official act” of the Commission under Evidence Code section 452(c). Judge Kenney also took notice of the outage data under Evidence Code section 452(h).³

2. The Commission Should Take Official Notice of the Percentage of Water Customers in California It Regulates.

The home page of the Commission’s Water Division is found at the following internet address: <http://www.cpuc.ca.gov/water/>. Following is the second sentence on that page: “Water Division regulates over a 100 investor-owned water and sewer utilities under the CPUC’s jurisdiction providing water service to about 16 percent of California’s residents.”

The City requests official notice of the fact that the Commission regulates water companies providing water service to about 16 percent of California’s residents. Since this information is publicly announced on the Commission’s website by the Water Division, it can be considered an official act of the Commission (Ev. Code § 452(c)), a fact that is of such common

¹ D.09-12-044, *mimeo*, p. 72 and fn. 166.

² D.05-11-030, pp. 15-16 & fn2, and Ordering ¶ 4.

³ Administrative Law Judge’s Ruling Granting in Part and Denying in Part the Motion for Official Notice Filed on July 14, 2016, issued in A.08-12-021, pp. 1-3. This ruling may be found on the Commission’s web site at: <http://docs.cpuc.ca.gov/PublishedDocs/EFILE/RULINGS/105275.PDF>. In D.09-09-030 issued in A.08-12-021, the Commission referenced this ruling with approval. D.09-09-030, *mimeo*, p. 47 & fn. 43.

knowledge in California that it cannot reasonably be the subject of dispute (Ev. Code § 452(g)), and a fact not reasonably subject to dispute and capable of immediate and accurate determination by resort to sources of reasonably indisputable accuracy (Ev. Code § 452(h)). The information is relevant to this proceeding because Cal-Am represents only part of that 16% and an even smaller part of retail water supply throughout California. Cal-Am's testimony in various places about, for example, the relationship of rates to water conservation can be examined in light of these facts.

3. The Commission Should Take Official Notice of Conservation Statistics Reported to and Published by the State Water Resources Control Board Concerning Conservation in Ventura County, California.

Submitted with this Request as Exhibit A is an Excel file called:

"uw_supplier_data040417.xlsx".⁴ This Excel spreadsheet is assembled by the Water Board from data that urban water suppliers are required to report by the 15th of each month for the previous month's water usage.⁵ At the time of this filing, the spreadsheet as published by the Water Board can be opened by first opening the following internet address:
http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/conservation_reporting.shtml. The fourth bullet on the page, appearing below the heading "Current Reporting Data," provides the "June 2014 - February 2017 Urban Water Supplier Report Dataset." That Excel spreadsheet can be opened by clicking the link at the end of the line following the fourth bullet. A dialog box opens providing options to open the Excel file, or save it. If the file is saved, it is saved under the name "uw_supplier_data040417.xlsx". Exhibit A was saved in that manner on April 15, 2017, and has not been altered.

The City requests official notice of the following information:

⁴ The spreadsheet in Exhibit A has 13,379 rows and 32 columns. Due to its physical size when printed, Exhibit A is filed with the Commission by archival DVD and cannot be converted to PDF-A format. The City has also served a Notice of Availability to a "share site" where the spreadsheet can be downloaded in its original Excel format. In addition, the spreadsheet in its original Excel format is of a size that it can be provided by email and the City will do so on request.

⁵ 22.5 Cal. Code Regs. § 865(b)(2). See <https://drinc.ca.gov/dnn/Home.aspx>, sentence under heading "Hello and Welcome..." stating the website known as "DRINC PORTAL" is "operated by the State Water Resources Control Board, Division of Drinking Water, as a service center for California public water systems, environmental health laboratories, state agencies, the federal EPA, and other public health partners", and <https://drinc.ca.gov/dnn/Applications/UrbanWaterR-GPCD.aspx>, first sentence in right column ("Urban water suppliers are required to report by the 15th of each month the previous month's water usage:").

1. Rows 4820 through 4831, Columns A, D, E, F and Q. Rows 4820 through 4831 report information, in reverse chronological order, regarding CalWater's Westlake District, which serves a portion of Ventura County, for the months of June 2015 through May 2016. Column A reports Supplier Name. Column D contains the Reporting Month. Column E contains the REPORTED Total Monthly Potable Water Production Reporting Month. Column F contains the REPORTED Total Monthly Potable Water Production 2013. Column Q provides the supplier's Conservation Standard starting in June 2015.
2. Rows 7218 through 7229, Columns A, D, E, F and Q. Rows 7218 through 7229 report information, in reverse chronological order, regarding Cal-Am's Ventura District, which serves a portion of Ventura County, for the months of June 2015 through May 2016. Columns A, D, E, F and Q contain the same categories of information as stated above.
3. Rows 8272 through 8283, Columns A, D, E, F and Q. Rows 8272 through 8283 report information, in reverse chronological order, regarding the data reported by the City, which serves a portion of Ventura County, for the months of June 2015 through May 2016. Columns A, D, E, F and Q contain the same categories of information as stated above.

For the convenience of the Commission and the parties, the City has created and submits as Exhibit B an excerpted spreadsheet containing only the information of which official notice is requested. That spreadsheet contains the same information for each water supplier as is found in the original spreadsheet in the referenced row numbers and columns discussed above.

Confirmation of that can be obtained by comparing the information in the locations stated above from Exhibit A with the information in Exhibit B. Because of its size, Exhibit B was capable of being converted to PDF-A format, and it is filed and served in that fashion.

The information for which official notice is requested was submitted to the Water Board and then assembled and published as part of the Water Board's "service center for California public water systems, environmental health laboratories, state agencies, the federal EPA, and other public health partners."⁶ Thus, publication of the information is an official act of the Water Board under Evidence Code section 452(c). The information is also obviously available to the

⁶ <https://drinc.ca.gov/dnn/Home.aspx>.

public, and permits anyone who wishes to track conservation data to do so, lending support to its being accurate and its accuracy being readily ascertainable.

The information of which official notice is requested cannot reasonably be the subject of dispute and is capable of immediate and accurate determination by resort to sources of reasonably indisputable accuracy. The information was required to be reported by the 15th of each month pursuant to Water Board emergency regulations effective May 18, 2015. See 22.5 Cal. Code Regulations section 865(b)(2).⁷ Those emergency regulations were extended in February 2016⁸ and again in February 2017.⁹ The reporting requirements of section 865(b)(2) remained the same with each extension, and thus section 865(b)(2) was in effect during the period June 2015 through June 2016. The information so reported in response to mandatory regulations cannot reasonably be the subject of dispute (Ev. Code § 452(g)), and is capable of immediate and accurate determination by resort to sources of reasonably indisputable accuracy – those who reported the information and the Water Board, which published it (Ev. Code § 452(c) & (h)). Two of the water suppliers reporting the information are before the Commission in this proceeding, as was Unocal in D.05-11-030. In short, the information is appropriately the subject of official notice under Rule 13.9 and Evidence Code sections 452(c), (g) and (h).

This information is relevant to this proceeding because it will help assess whether the size of Cal-Am's proposed rate increases in its Ventura District is reasonable in light of Cal-Am's failure to meet conservation standards, while the City met its standards and CalWater came very close, and neither the City nor CalWater has raised or proposed to raise rates as precipitously as has Cal-Am.

4. Conclusion

The City has hereby furnished sufficient notice and sufficient information as to the location and accuracy of the matters of which it requests official notice, and those matters meet

⁷ The initial emergency regulations may be found at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/docs/emergency_regulations/rs2015_0032_with_adopted_regs.pdf.

⁸ See
http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/docs/emergency_reg/201602_0301ee_app.pdf.

⁹ See
http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/docs/emergency_reg/oal_app_oval2017_0217_02ee.pdf.

the tests for taking judicial notice. The City therefore respectfully requests the Commission to take official notice of the information requested herein.

Dated: April 20, 2017

Respectfully submitted,
DOWNEY BRAND LLP

By: /s/ Dan Carroll
Dan L. Carroll
Christopher Rendall-Jackson
Attorneys for City of Thousand Oaks

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



FILED
4-20-17
04:59 PM

Application of California-American Water Company (U210W) for Authorization to Increase its Revenues for Water Service by \$34,559,200 or 16.29% in the year 2018, by \$8,478,500 or 3.43% in the year 2019, and by \$7,742,600 or 3.03% in the year 2020.

Application No. 16-07-002

(Filed July 1, 2016)

**NOTICE OF AVAILABILITY OF EXHIBIT A
TO REQUEST FOR OFFICIAL NOTICE
OF THE CITY OF THOUSAND OAKS**

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April 20, 2017

**BEFORE THE PUBLIC UTILITIES COMMISSION
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Application of California-American Water Company (U210W) for Authorization to Increase its Revenues for Water Service by \$34,559,200 or 16.29% in the year 2018, by \$8,478,500 or 3.43% in the year 2019, and by \$7,742,600 or 3.03% in the year 2020.

Application No. 16-07-002

(Filed July 1, 2016)

**NOTICE OF AVAILABILITY OF EXHIBIT A
TO REQUEST FOR OFFICIAL NOTICE
OF THE CITY OF THOUSAND OAKS**

Pursuant to Rule 1.9(d) of the Commission's Rules of Practice and Procedure, the City of Thousand Oaks ("City") hereby provides notice of the availability of Exhibit A to the Request for Judicial Notice of the City of Thousand Oaks.

Exhibit A is an Excel spreadsheet provided on the website of the State Water Resources Control Board. The spreadsheet contains 13,379 rows of data and 32 columns of data. If printed in readable form, it would exceed 50 pages in length. Although it would not exceed 3.5 megabytes in size in Excel format, it cannot be converted to PDF-A format in a readily usable form, because of the large number of rows and columns of data.

The spreadsheet the spreadsheet as published by State Water Resources Control Board which is submitted as Exhibit A is available on the following share site:

<https://downeybrandllp.sharefile.com/d-s7eb2b6295da44c2a>

Please enter your email address and first and last names. Company identification is optional. Then click on "Continue" to open the page with the spreadsheet. You may view the spreadsheet online or save it to your computer.

At the time of this filing, the spreadsheet as published by the State Water Resources Control Board which is submitted as Exhibit A may also be located as follows. Go to the following internet address:

http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/conservation_reporting.shtml. The fourth bullet on the page, appearing below the heading "Current Reporting Data," provides the "June 2014 - February 2017 Urban Water Supplier Report Dataset." That Excel spreadsheet can be opened by clicking the link at the end of the line following the fourth bullet. A dialog box opens providing options to open the Excel file, or save it. If the file is saved, it is saved under the name "uw_supplier_data040417.xlsx".

Dated: April 20, 2017

Respectfully submitted,
DOWNEY BRAND LLP

By: /s/ Dan Carroll
Dan L. Carroll
Christopher Rendall-Jackson
Attorneys for City of Thousand Oaks



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EXHIBIT B

A		D	E	F	Q
Supplier Name		Reporting Month	REPORTED Total Monthly Potable Water Production Reporting Month	REPORTED Total Monthly Potable Water Production 2013	Conservation Standard (starting in June 2015) *Adjusted in March 2016 **Revised in June 2016
4820	California Water Service Company Westlake	May-16	509.3	774.8	34%
4821	California Water Service Company Westlake	Apr-16	429.5	660.4	34%
4822	California Water Service Company Westlake	Mar-16	356	570.6	34%
4823	California Water Service Company Westlake	Feb-16	349.8	429.5	36%
4824	California Water Service Company Westlake	Jan-16	260.3	446.5	36%
4825	California Water Service Company Westlake	Dec-15	385.1	566.7	36%
4826	California Water Service Company Westlake	Nov-15	454	613	36%
4827	California Water Service Company Westlake	Oct-15	558.1	763.9	36%
4828	California Water Service Company Westlake	Sep-15	550.2	901.8	36%
4829	California Water Service Company Westlake	Aug-15	602.2	905.9	36%
4830	California Water Service Company Westlake	Jul-15	568.8	921.1	36%
4831	California Water Service Company Westlake	Jun-15	579.6	834.2	36%
...					
7218	California-American Water Ventura District	May-16	1174	1744	30%
7219	California-American Water Ventura District	Apr-16	1030	1343	30%
7220	California-American Water Ventura District	Mar-16	871	1222	30%
7221	California-American Water Ventura District	Feb-16	880	963	32%
7222	California-American Water Ventura District	Jan-16	730	1057	32%
7223	California-American Water Ventura District	Dec-15	966	1257	32%
7224	California-American Water Ventura District	Nov-15	1094	1306	32%
7225	California-American Water Ventura District	Oct-15	1182	1662	32%
7226	California-American Water Ventura District	Sep-15	1222	1792	32%
7227	California-American Water Ventura District	Aug-15	1389	1827	32%
7228	California-American Water Ventura District	Jul-15	1283	1855	32%
7229	California-American Water Ventura District	Jun-15	1257	1721	32%
...					
8272	Thousand Oaks City of	May-16	807.7	1193.2	26%
8273	Thousand Oaks City of	Apr-16	703.93	1018	26%
8274	Thousand Oaks City of	Mar-16	524.53	905.4	26%
8275	Thousand Oaks City of	Feb-16	577.32	706.2	28%
8276	Thousand Oaks City of	Jan-16	484.4	719.6	28%
8277	Thousand Oaks City of	Dec-15	673.6	919.6	28%
8278	Thousand Oaks City of	Nov-15	755.2	925	28%
8279	Thousand Oaks City of	Oct-15	853.2	1130.5	28%
8280	Thousand Oaks City of	Sep-15	828.1	1248.7	28%
8281	Thousand Oaks City of	Aug-15	920.5	1331.2	28%
8282	Thousand Oaks City of	Jul-15	848	1302	28%
8283	Thousand Oaks City of	Jun-15	862.1	1250.5	28%

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



FILED
4-20-17
04:59 PM

Application of California-American Water Company (U210W) for Authorization to Increase its Revenues for Water Service by \$34,559,200 or 16.29% in the year 2018, by \$8,478,500 or 3.43% in the year 2019, and by \$7,742,600 or 3.03% in the year 2020.

Application 16-07-002

(Filed July 1, 2016)

CERTIFICATE OF SERVICE

1480089.1

CERTIFICATE OF SERVICE

Application 16-07-002

I am a citizen of the United States, over the age of 18 years, and employed in the City and County of Sacramento by Downey Brand LLP, 621 Capitol Mall, Sacramento, CA 95814.

I hereby certify that I have this day served copies of the REQUEST FOR OFFICIAL NOTICE OF THE CITY OF THOUSAND OAKS and NOTICE OF AVAILABILITY OF EXHIBIT A TO REQUEST FOR OFFICIAL NOTICE OF THE CITY OF THOUSAND OAKS on all known parties to proceeding number A.16-07-002 by transmitting an e-mail message with the documents attached to each party named in the official service list, except those without an e-mail address were served by U.S. mail, pursuant to the Commission's Rules of Practice and Procedure.

Executed on April 20, 2017, at Sacramento, California.

/s/ Bridget Cougar
Bridget Cougar, Secretary

Courtesy copy by mail:

ALJ Sophia Park
California Public Utilities Commission
Division of Administrative Law Judges
505 Van Ness Avenue, Room 5024
San Francisco, CA 94102-3214

1480089.1

3. MOST RECURRING MISTAKES & HOW TO AVOID THEM

- The most annoying fact of any mistake is that it occurred at all.
- 3 times longer to reject filing than to Accept it. Rule 1.14(c)(1)-(2) requires us to specify “..Reasons or Grounds for Rejecting Document.”
- **Most Frequent Mistake (NUMERO UNO):**
Document is not PDF/A compliant as required by Rule 1.13(b)(1)(i).

WHAT DOES PDF/A MEAN?

Any document in whatever form filed with the Docket Office that becomes part of the official records of the Commission must have a retention life of at least thirty (30) years. This is codified in Rule 1.13(b)(1)(i). Those documents which do not meet this test are rejected because the document is not **PDF/A compliant**. You may have heard that term. **Portable Document Format/Archive.**

RESOLUTION L-204

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

San Francisco, California
Date: September 20, 1978
Resolution No. L-204

R E S O L U T I O N

WHEREAS, the Commission has adopted a 40 year retention life for formal files of the Commission, pursuant to Resolution No. 3156, dated February 4, 1965, and

WHEREAS, experience has demonstrated that this is a longer retention period than is normally necessary for Commission purposes, and

WHEREAS, there are no statutes, rules of court, or administrative mandates requiring that our formal files be maintained for any specific period, and

WHEREAS, annual savings in storage costs will be achieved by earlier disposal of unneeded formal files,

BE IT THEREFORE RESOLVED that the retention period for Commission formal files is hereby set at 30 years. Any Division Director may request that a particular formal file be retained for a longer period.

I hereby certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California, held on the 31st day of OCTOBER, 1978, the following Commissioners voting favorably thereon:

HARVEY BATINOVICH, President
EDWIN SYMONS, JR., VERNON L. STURGEON,
RICHARD D. GRAVELLE, CLAIRE T. DEBRICK, Commissioners

Fredrick E. John
Executive Director of the Public
Utilities Commission of the
State of California

RESOLUTION L-204: THE LEGAL STANDARD

Notwithstanding the complexities and volume and size of any filing, the Legal Standard continues to apply. Resolution L-204, passed 09/20/1978 established the modern day standard for how long a document must be maintained in the official records of the Commission (Archive-Life).

- **Resolution L-204 set the modern day standard for Archive- life at 30 years.**

HOW TO MAKE A DOCUMENT

PDF/A COMPLIANT?

- Almost everyone who regularly Efiles documents with us have their own preferred way to make it PDF/A compliant.
- We have no preference among the several methods available.
- Please consult with your IT Service to select the best method for your system-operations.

OTHER RECURRING MISTAKES

- Failure to Proof-Read (e.g. Incorrect captions; not all proceeding numbers are listed; wrong proceeding numbers used;
- Poor Timing for Efiling (**Attys take heed)
- Filers are not “parties” within meaning of Rule 1.4.
- Missing COS and even more frequently, entire SL is not downloaded; only Email addresses shown.

OTHER RECURRING MISTAKES

- **VERY GOOD SIGN**

- Many filers appear to review their filings after it is submitted and locate “mistakes” on their own. They send us an Email to:
 - EFILE-HELP@CPUC.CA.GOV
- and request that Efile Control #12345 be rejected. No reason need be given.

- **BRAVO !!!**

20 Mb LIMITATION FOR EFILING

HOW SHOULD DOCUMENTS BE
HANDLED THAT EXCEED THE 20
MB LIMITATION FOR
ELECTRONIC FILING SET
FORTH IN RULE 1.13(b)(1)(ii) ?

**(See, MIXED MEDIA
PRESENTATION)**



MIXED MEDIA FILINGS

*CUTTING-EDGE FILING TECHNIQUES TO ACCOMMODATE
MULTIPLE & VOLUMINOUS
MEDIA FORMATS*

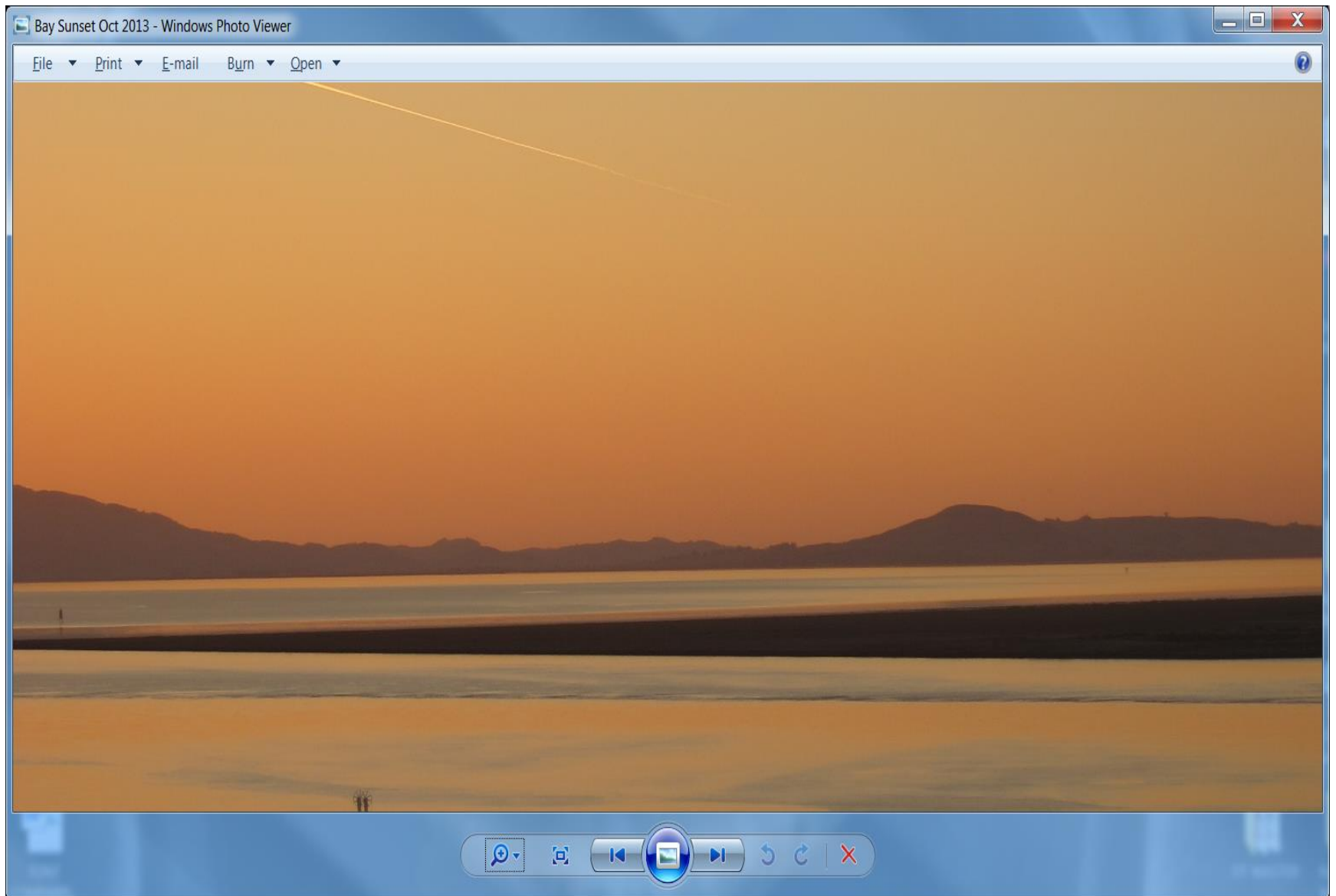


MARTIN M. NAKAHARA
Senior Legal Analyst
California Public Utilities Commission
San Francisco, CA
May 19, 2016

www.cpuc.ca.gov/ practitioner_page

• PRACTITIONER'S PAGE

- **California Public Utilities Commission Practitioner's Page**
- Practice before the Commission is governed by the Public Utilities Code, the Commission's Rules of Practice and Procedure, specific Commission orders, and customs and practices developed over time to facilitate the efficient resolution of procedural matters that come up in the course of a proceeding. This page is designed to put useful information for both new and veteran practitioners in one place for easy access. If you find information here that you believe to be out of date or think of a topic on which a FAQ or Custom and Practice sheet would be helpful, please contact practitioners@cpuc.ca.gov. We value your feedback.
- [Alternative Dispute Resolution](#): Learn about our ADR program and how it can assist in creating better outcomes for your cases.
- [Commission Business Meetings](#): Rules and Guidelines that govern the Commission's business meetings and agenda administration.
- [Custom and Practice](#): Guidelines and best practices to assist you in understanding the rules.
- [Electronic Filing](#)
- [Mixed Media Filings](#): Cutting-Edge Filing Techniques to Accommodate Multiple & Voluminous Media Formats
- [EX PARTE COMMUNICATIONS](#): The correct document type for a Notice of Ex Parte Communications is "**Exparte**" not "Notice"
- [Filing Confidential Documents Under Seal \(Rev. Nov 2013\)](#)
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QUESTIONS FROM AUDIENCE

- -o0o -